



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/719,033	11/21/2003	Christopher L. Gerding	117018-00003	2836
7590	06/26/2006		EXAMINER KARKHANIS, AASHISH	
Peter R Martinez P O Box 131313 Carlsbad, CA 92013			ART UNIT 3714	PAPER NUMBER

DATE MAILED: 06/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/719,033

Applicant(s)

GERDING, CHRISTOPHER L.

Examiner

Aashish Karkhanis

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1, 7 – 8, 10 and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Han (U.S. Patent 5,605,505).

Regarding Claim 1, Han discloses a video game conversion system including a housing (fig. 2, elem. "game playing apparatus body"), a video game adapter system for coupling at least one video game system having at least a first hand-held controller associated therewith (col. 1, lins. 18 – 19), the adapter system coupling an input port of the at least one video game system to at least one second controller, wherein the at least one second controller has at least one arcade control system associated therewith (col. 1, lins. 19 – 21; a game controller has arcade-style controls as is well known in the art).

Regarding Claims 7 – 8, Han discloses a video game system wherein the arcade control system is a digital or analog joystick and multiple buttons and includes a digital and analog joystick (fig. 2, elems. 11, 12; where controllers with generic buttons and directional controls, which may inherently include analog and digital controls, are shown).

Regarding Claim 10, Han discloses a game system, wherein the at least one second controller comprises a wireless transmitter to send data regarding the at least one arcade control system to a wireless receiver associated with the video game adapter system (col. 1, lins. 19 – 21).

Regarding Claim 22, Han discloses a video game control system including a video game having at least one controller (col. 1, lins. 18 – 19) and being coupled to a source of AC power (col. 1, lin. 14; where a conventional game playing apparatus inherently includes an AC power source), a control device interconnected to the video game by which operation of the video game may be controlled to play selectively of the video game (col. 1, lins. 18 – 19).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 2 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Han in view of Fogelman et al. (U.S. Patent 4,440,457).

Regarding Claims 2 and 4, Han discloses a game system with a housing (fig. 2, elem. "game playing apparatus body") but does not disclose a housing supporting a TV monitor. However, Fogelman teaches a universal game system housing wherein the housing supports a TV/monitor therein (col. 3, lins. 1 – 5) and includes a shelf on which a TV/monitor is positioned and secured (col. 3, lins. 43 – 45). Therefore, it would have

Art Unit: 3714

been obvious to one of ordinary skill in the art at the time of invention to have modified the game system with a housing of Han with the universal game system housing of Fogelman in order to create a single game system unit that includes all necessary components required to play a game, including a TV monitor.

3. Claims 3, 5 – 6 and 15 – 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Han in view of Fogelman and further in view of Ermanski (U.S. Patent 4,555,081).

Regarding Claims 3, 5 – 6 and 15 – 17, Han discloses a game system with a housing (fig. 2, elem. "game playing apparatus body") but does not disclose a housing supporting a TV monitor or a tilting mechanism. Fogelman teaches a housing supporting a TV monitor at a fixed tilt (col. 3, lins. 43 – 45) but does not teach a variable tilting mechanism. However, Ermanski teaches a tilting mechanism for any TV monitor wherein the position of the TV/monitor is variable with respect to the housing and selectively pivotable to vary the position of a TV/monitor supported thereon with respect to the housing between a tilted forward orientation, a horizontal orientation and a tilted backward orientation (col. 2, lins. 9 – 11). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified the game system with housing of Han with the cabinet with a fixed screen tilt of Fogelman as described above and further with the variable tilting mechanism of Ermanski in order to improve the viewing angle of a game for a player.

4. Claims 9, 11 – 13 and 18 – 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Han in view of Hamley (U.S. Patent 4,764,812).

Regarding Claims 9 and 11, Han discloses a game system as described above, but does not disclose an adapter system to switch between multiple game systems. However, Hamley teaches an adapter for switching between generic audiovisual devices, wherein a plurality of game systems are provided, and the video game adapter system comprises a switching system to allow the user to select which game system is operated by the at least one second controller (col. 1, lins. 63 – 65), and wherein the adapter system further comprises a control system to selectively disable operation of the at least one video game by means of the at least one second controller (col. 2, lins. 63 – 65; where a bad signal is masked by a switching mechanism repeating a previous corresponding amount of video data). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to have modified the single game system of Han with the generic audiovisual switching mechanism of Hamley in order to increase convenience and speed of changing between multiple game systems for a player.

Regarding Claims 12 – 13, Han discloses a game system, but does not disclose a timer module which disables operation of the controller and terminates power to a video game system after a predetermined elapsed time. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified the electronic game system with power supply of Han with a power saving feature as is well known and established in the use of electronic devices in order to conserve energy when an electronic device, such as a game system in this instance, is not being used by a player.

Regarding Claim 18, Han discloses a universal video game controller including at least one control system for generating information for controlling a video game, a transmitter coupled to the at least one control system for converting information into a form for wireless transmission (col. 1, lins. 19 – 21), having an input port for coupling information generated by at least one control system, and each having a receiver coupled to the input port for converting wireless transmission from the transmitter for signals for controlling a respective video game (fig. 9, elem. 44). Han does not disclose multiple game systems. However, Hamley teaches the use of an adapter for switching between multiple generic audiovisual devices which may include game systems (col. 1, lins. 63 – 65). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to have modified the single game system of Han with the generic audiovisual switching mechanism of Hamley in order to increase convenience and speed of changing between multiple game systems for a player.

Regarding Claims 19 – 21, Han discloses a controller wherein the wireless transmission is accomplished by a system selected from the group consisting of RF transmitter/receiver, IR transmitter/receiver (col. 1, lins. 19 – 21; where RF and IR wireless transmission are well known and established forms of generic wireless transmission as described), wherein an adapter is provided in association with the input port to convert signals from the transmitter to a proper configuration for operation of a particular video game (fig. 8a; where a waveform carrying game controller data is shown), and including a switch device to selectively switch between different video game systems, wherein wireless transmission associated with each prospective game

Art Unit: 3714

system will not interfere with transmission of other game systems (col. 2, lins. 33 – 35; where frequencies are changed to prevent interference).

5. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Han in view of McGee (U.S. Patent 5,528,566).

Regarding Claim 14, Han discloses a game system as described above, but does not disclose a multiple disc changer. However, McGee teaches a multi disc changer coupled to a generic device (col. 3, lins. 11 – 21) which may include the at least one video game system for selection of different games stored on discs therein. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified the game system of *** with the multiple disc changer of ** in order to provide a larger selection of games to a player.

Response to Arguments

6. Applicant's arguments with respect to claims 1 - 22 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent 4,527,766: Video display tilting apparatus.

U.S. Patent 5,192,082: Game system with housing.

U.S. Patent 5,984,785: Game controller with digital and analog controls.

U.S. Patent 6,071,194: Universal game controller.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aashish Karkhanis whose telephone number is (571) 272-2774. The examiner can normally be reached on 0800-1630 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on (571) 272-6788. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ARK

JOHN M. HOTALING, II
PRIMARY EXAMINER

